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PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
John D. Noti

Date: September 26, 2001

Serial No.: 09/476,202

Docket No.: 052544-0108

Filed: January 3, 2000

Group Art Unit: 1643

Examiner: K. Katcheres

For: **MYELOID CELL PROMOTER AND CONSTRUCTS CONTAINING SAME**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX SEQUENCE, Commissioner for Patents, Washington, D.C., 20231, on September 26, 2001.

Mark A. Kassel

(Name of applicant, assignee or Registered Representative)


(Signature)

September 26, 2001

(Date of Signature)

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825**

BOX SEQUENCE
Commissioner for Patents
Washington, D.C. 20231

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

Serial No.: 09/476,202

1. The Sequence Listing so filed does not include matter which goes beyond the content of the application as filed and the information recorded in computer readable form is identical to the written Sequence Listing.

Respectfully submitted,

September 26, 2001

Date


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 Notice to Comply		Application No. 109/476202	Applicant(s) Noti Art Unit 1636	TECH CENTER OCT 04 2001 16002900
NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES				
<p>Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).</p> <p>The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). <input type="checkbox"/> 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c). <input checked="" type="checkbox"/> 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). <input type="checkbox"/> 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." <input type="checkbox"/> 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). <input type="checkbox"/> 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e). <input type="checkbox"/> 7. Other: <p>Applicant Must Provide:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> An <u>initial</u> or substitute computer readable form (CRF) copy of the "Sequence Listing". <input type="checkbox"/> An <u>initial</u> or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification. <input checked="" type="checkbox"/> A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d). <p>For questions regarding compliance to these requirements, please contact:</p> <p>For Rules Interpretation, call (703) 308-4216 For CRF Submission Help, call (703) 308-4212 PatentIn Software Program Support Technical Assistance.....703-287-0200 To Purchase PatentIn Software.....703-306-2600</p> <p>PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY</p>				